

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of: U.S. Patent No. 5,767,115 :
Applicants: Rosenblum et al. :
Serial No.: To Be Assigned : Group Art Unit: 1202
Filed: To Be Assigned : Examiner:
Granted: June 16, 1998 :
For: Hydroxy-Substituted Azetidinone :
Compounds Useful As :
Hypocholesterolemic Agents :

WRITTEN CONSENT OF ASSIGNEE

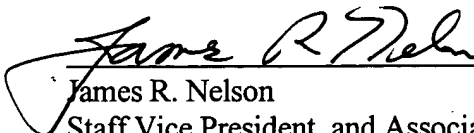
Commissioner of Patents
Washington, D.C. 20231
BOX REISSUE APPLICATION

SIR:

Schering Corporation, the assignee of United States Patent No. 5,767,115, consents to the filing of the present application for the reissue of U.S. Patent No. 5,767,115. The undersigned is authorized to sign this consent on behalf of the assignee.

Respectfully submitted,

Date: June 14, 2000


James R. Nelson
Staff Vice President, and Associate
General Counsel, Patents & Trademarks
SCHERING-PLOUGH CORPORATION

Vice President
SCHERING CORPORATION
Patent Department K-6-1 1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530

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CERTIFICATE UNDER 37 C.F.R. 3.73(b)

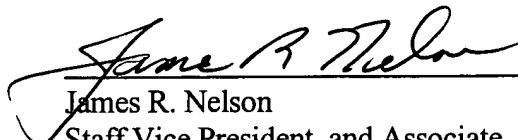
Commissioner of Patents
Washington, D.C. 20231
BOX REISSUE APPLICATION

S I R :

Schering Corporation certifies under 37 C.F.R. 3.73(b) that it owns the entire right, title and interest in United States Patent No. 5,767,115 and the reissue application identified above. An assignment from the inventors to Schering Corporation was recorded in the United States Patent and Trademark Office on May 20, 1996 at Reel 7960, Frame 0455. The undersigned is authorized to sign this certificate on behalf of Schering Corporation.

Respectfully submitted,

Date: June 14, 2000


James R. Nelson
Staff Vice President, and Associate
General Counsel, Patents & Trademarks
SCHERING-PLOUGH CORPORATION

Vice President
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Patent Department K-6-1 1990
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Kenilworth, New Jersey 07033-0530

1c685 U.S. PTO
06/15/00

PATENT
Docket No. 2976-4032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL FOR REISSUE PATENT APPLICATION

HAND CARRY

In re Reissue of: U.S. Patent No. 5,767,115

Applicants: Rosenblum et al.

Serial No.: To Be Assigned

Filed: To Be Assigned

Granted: June 16, 1998

For: Hydroxy-Substituted Azetidinone
Compounds Useful As
Hypocholesterolemic Agents

Group Art Unit: 1202

Examiner:

1c832 U.S. PTO
09/594996
06/15/00

BOX REISSUE APPLICATION
Director of Patents and Trademarks
Washington, D.C. 20231

Sir:

Attached is the application for reissue of U.S. Patent No. 5,767,115, issued on June 16, 1998.

Enclosed are the following:

1. Specification, claims and drawings
[43] pages of text (specification, claims, abstract)
[13] claims
2. [6] Pages of declaration and power

3. ☒ Preliminary Remarks are attached.
4. ☒ Executed Written Consent by the Assignee is attached
5. Offer to surrender the original Letters Patent in accordance with 37 CFR § 1.178 is attached.
☐ Offer to surrender is by the inventor
☐ along with assent of Assignee.
☒ Offer to surrender is by the assignee and is included in the Declaration.
6. Letters Patent
☐ Original Letters Patent are attached.
☐ Declaration that original Letters Patent lost or inaccessible.
7. ☒ Certificate Under 37 C.F.R. § 3.73(b)
8. ☒ A Form PTO 1449 (including 47 cited references) and Information Disclosure Statement is attached.
9. ☐ Priority is claimed under 35 U.S.C. § 119 from _____ Patent Application(s) No. _____ dated _____.
- ☐ The certified copy has been filed in prior application Serial No. _____, filed on _____.
10. The Government filing fee is calculated as follows:

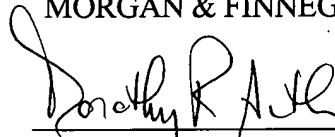
NON-SMALL ENTITY

	NO. FILED			NO. EXTRA	RATE	FEE
TOTAL	4	minus	20	= 0	x18=	\$ 0
INDEP	2	minus	3	= 0	x78=	\$ 0
__ First Presentation, Multiple Dependent Claims					+260=	\$ 260
Base Filing Fee						\$690
TOTAL FILING FEE* (accounting for possible small entity status)						\$950

- ☐ *Reduced by one-half, as applicant(s) is/are a "small entity". A Declaration Claiming Small Entity Status:
☐ is filed herewith;
☐ will be filed at a later date.
- ☒ Executed Declaration by the Assignee is submitted herewith.
- ☐ Executed Declaration(s) will be submitted at a later date pursuant to 37 CFR § 1.41 and § 1.53, with an appropriate surcharge under 37 CFR § 1.16(e).
- ☒ Charge Fee(s) to Deposit Account No. 13-4500. Order No. 2976-4032.
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2976-4032. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.



Dorothy R. Auth
Registration No. 36,434

Dated: June 15, 2000

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